

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

JAMES C. MCNEILL,)
)
 Plaintiff,)
)
 v.) 1:18CV800
)
 SHAWN BRITT, et al.,)
)
 Defendant.)

JUDGMENT

The Recommendation of the United States Magistrate Judge was filed with the Court in accordance with 28 U.S.C. § 636(b) and, on July 21, 2021, was served on the parties in this action. (ECF Nos. 64, 65.) No objections were filed within the time prescribed by §636.

The Court hereby adopts the Magistrate Judge's Recommendation.

IT IS HEREBY ORDERED AND ADJUDGED that Defendants Monica Bond, Shawn L. Britt, Dane Bruce, Lachelle Bullard, Sylvia Crumpler, Karen L. Henderson, Dawn Leak, Pamela J. Locklear, Katy Poole, and George Warren's Motion to Dismiss or in the Alternative, Motion to Sever Parties, (ECF No. 49), is DENIED.

IT IS FURTHER ORDERED AND ADJUDGED that Defendants' Motion for Summary Judgment, (ECF No. 51), is GRANTED IN PART to the extent that all claims against Defendants Britt, Bruce, Lachelle Bullard, Poole, and Warren are DISMISSED, the retaliation claims against Defendants Crumpler are DISMISSED, and the denial of access to the courts and conditions of confinement claims against Defendant Henderson is DISMISSED. The summary judgment motion is DENIED IN PART as to Plaintiff's due

process claim against Defendant Bond and excessive force claims against Defendants Crumpler, Henderson, and Leak.

IT IS FURTHER ORDERED AND ADJUDGED that Defendants Correctional Officer (FNU) Oxendine and Correctional Officer L. Bullard are DISMISSED from this action for failure to prosecute.

This, the 19th day of August 2021.

/s/ Loretta C. Biggs
United States District Judge